

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS – Land Acquisition – Nizamabad District – Nandipet (Mandal) – Godepally (V) – O.P.No.54/84 – Sanction of Rs.13,45,213/- Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 54

DATE:21.01.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/1432/08, dt:8.12.2008  
alongwith the letter of Spl.Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad.

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ORDER:

The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.54/84 pertaining to Godepally (V) Nandipet (M), Nizamabad District. The then LAO had acquired the land for an extent of Ac.16.37 gts for the purpose of submergence under SRSP Reservoir in the limits of Gadepalli (V) of Nandipet (M) by fixing the market value @0.50 paise for sq.mtr vide Award No.17/1980-81, dt:31.03.1981. The awardees have filed petitions u/s 18 of L.A.Act. The Addl.Dist.Judge, Nizamabad has enhanced the land value from 0.50 paise to @Rs.6/- per Sq.Mt for the open place and sites covered by the Houses. The LAO is directed to pay compensation at 1 ½ times the value fixed by him for houses for an amount which detailed measurements, pay compensation 2 times the value fixed for the houses for which detailed measurement not taken and pay 25% more than value fixed for the houses which had first over the ground floor, and pay compensation to tree as per the value fixed in O.P.No.358/82 & 112/89. The SDC has filed an appeal in Hon'ble High Court Appeal AS No.352/1992, dt:09.03.99, the appeal is squarely covered by the judgment of the court in A.S.No.425/1992 dt:04.03.99 following the same, this appeal is also dismissed in term of the above said judgment. As per the advise of Spl.Collector, LA, SRSP, SSP & JCRGLIP, Hyd, the SDC has filed SLP in Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India, New Delhi has dismissed the SLP (c) C.C.No.9914/2003, dt:24.11.2003 on the ground of delay.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.13,45,213/- (Rupees Thirteen lakhs forty five thousand two hundred and thirteen only) in respect of O.P.No.54/84 pertaining to Godepally (V) Nandipet (M) of Nizamabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, SRSP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.54/84 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitable to the following Head of Account "2701- Capital Out Lay – M & MI – 01 – Major Irrigation – Commercial – MH.116 –Sriramasagar Project –GH.11–Normal State Plan–SH (26) Dams & Appurtenant works -530/532. Lands (Charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.5339//F4(2)/2008-1, dated 03.01.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To  
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.  
The Special Collector, SRSP, Tarnaka, Hyderabad.  
The SDC, LA-cum-Loc, Unit, SRSP, Pochampad.  
The Administrative-cum-Chief Engineer, Hyderabad.  
The Director of Works Accounts, Hyderabad.  
Copy to: P.S. to Minister (M& MI).  
Finance (W&P) Department/File C.No.34224/LA-III(A1/2008.  
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER